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SUBJECT: REVIEWING HUMAN RIGHTS WITH DPM DUNG

REF: A. STATE 106483 B. HANOI 248

1. (SBU) Summary. In a meeting with Deputy Prime Minister Dung on June 3, Ambassador urged Vietnam to take steps on human rights and religious freedom, inter alia, that would create a good environment for high level visits from Vietnam. Dung acknowledged problems in implementation of "clear" GVN policies on ethnic minorities and religion, which the GVN was trying to resolve. He denied political prisoners but offered to "consider" reduction of sentences for those who made "progress." He confirmed GVN "respect" for Protestants but warned against using religion for separatist or terrorist goals. He offered to work with the U.S. on a voluntary departure program for Montagnards. Ambassador called for any solid evidence of involvement by US-based individuals or organizations in violent acts, but urged a clear differentiation between peaceful activities and terrorism, as well as between ethnic minority Protestants in general and Dega separatists. DPM Dung acknowledged that the USG did not support a Dega state or separatism but noted "many" people believe so. He criticized US actions in Iraq as an "illegal invasion" and a "war of aggression" but nonetheless urged both governments move forward toward further improvements in bilateral ties. End Summary.

2. (U) In advance of the Ambassador's departure for the U.S. to participate in the speaking tour sponsored by the U.S.-ASEAN Business Council and of the likely visit to the U.S. in July by Communist Party of Vietnam Politburo member Phan Dien, Ambassador met for two hours with Deputy Prime Minister and Politburo member Nguyen Tan Dung on June 3. (Ref b reported on their last meeting to review bilateral relations.) Pol/C and Commercial Attache accompanied. Assistant Foreign Minister Nguyen Duc Hung also attended. Septel will report on commercial and economic issues discussed.

Creating the right environment

3. (SBU) The Ambassador explained to DPM Dung that we had already provided the MFA with some suggestions (ref a) of steps the GVN could take to create a positive environment for a visit by the Prime Minister in 2005, as well as for Phan Dien's visit in July. He highlighted the importance of releases of prisoners who have done nothing more than peacefully express their personal opinions; the need for a public statement banning efforts at forced renunciations of faith and a speedier effort to reopen and/or register Protestant churches in the Central Highlands; and, a willingness by the GVN to allow NGOs (with possible USG funding) to help address developmental problems in the Central Highlands, in an effort to help ethnic minorities believe that remaining was better than fleeing.

4. (SBU) DPM Dung noted GVN hopes for a successful visit to the U.S. by the Prime Minister. (Note: he did not, however, comment on Phan Dien's upcoming trip. end note) He reminded Ambassador of their earlier "frank" discussions on human rights issues and reiterated Vietnam's concern for promotion and better protection of human rights. He stressed, however, that different countries and cultures have different perceptions and laws related to human rights. He admitted human rights problems in Vietnam, including weaknesses in the implementation of policy on ethnic minorities and a growing gap between the economic well-being of the ethnic Kinh majority and the minorities, but promised the GVN's determination to resolve such problems. He similarly highlighted the "clear" GVN policy protecting freedom of religion as well as freedom of non-belief, but admitted that "implementation at the local level has not yet been handled well." He cited improvements in reducing poverty as human rights achievements recognized by the World Bank, UNDP, and ADB.

Status of Protestants

15. (SBU) DPM Dung specifically noted that the GVN "respects" the Protestant faith and is willing to register new churches and permit "normal" activities. He warned, however, that the GVN would "never" permit activities "under the guise of religion" in support of a separate Dega state or using terrorist tactics. He claimed that 25 new churches, with 28,000 Protestants, had been registered in 2003 alone. He commented that Catholics in the Central Highlands were able to operate "very well" and promised that the GVN would "create favorable conditions" for the Protestant Church in the Central Highlands -- but not for Fulro or the Dega movement. While he acknowledged statements by the Ambassador and USG that the USG did not support a separate Dega state, he complained that Fulro, the Montagnard Foundation, and Kok Ksor continued to "agitate" from within the U.S. as "terrorist organizations," which the USG should not permit. Furthermore, he stated, the USG should not "support" illegal migration of Montagnards to Cambodia, which causes instability in both Vietnam and Cambodia. He promised that, if Montagnards wished to go to the U.S., "we agree and are ready" for the MFA to work with the USG on some sort of a "voluntary departure program."

16. (SBU) DPM Dung denied any political prisoners in Vietnam, noting that people were detained according to the laws of Vietnam. He emphasized that the GVN had already reduced the sentence of Father Nguyen Van Ly once he demonstrated contrition and asked for clemency. DPM Dung said that the GVN would be willing to consider similar treatment of Nguyen Dan Que and Nguyen Si Binh (sic). The GVN was prepared to be "tolerant" of prisoners who made "progress," he added. He called for dialogue and exchanges on human rights and other issues on a "frank and constructive" basis. He expressed the GVN's readiness to welcome A/S Craner for talks on human rights later in June.

17. (SBU) Ambassador noted that definitions of human rights were not subjective but rather codified in a series of international covenants, many of which Vietnam had signed. He highlighted that concern in the U.S. from the Administration, Congress, NGOs, and others over Vietnam's human rights problems affected decisions on how fast to seek improvement in bilateral ties. He admitted progress in personal freedoms and self-control over individual lives in Vietnam as long-term trends but pointed to ongoing problems over human rights. He urged in particular that officials in the Central Highlands differentiate clearly between Protestants and Fulro/Dega supporters. He urged that the April demonstrations not lead to a set-back in the GVN's efforts to improve conditions in the Central Highlands.

Who's a Terrorist?

18. (SBU) Ambassador reiterated that the USG does not "allow" Kok Ksor to engage in violent activities, and urged that the GVN share with the USG any clear and solid evidence or proof of complicity by US citizens or residents in violent activities in Vietnam. He noted the need for clear, factual proof that could be used in a legal framework, not vague accusation, and promised that the USG would act if it received such proof. He urged a clear distinction between peaceful separatist activities and actual terrorist actions, and noted the twelve international conventions related to terrorism gave good definitions.

19. (SBU) Ambassador also emphasized that the USG does not encourage illegal migration to Cambodia, and that the USG on the contrary would like to support programs in the Central Highlands to encourage people to stay, but the GVN had not yet given permission. However, if they do seek refuge in Cambodia, the RCG should be able to fulfill its obligations under the Refugee Convention and allow UNHCR to determine their status.

10. (SBU) DPM insisted that the actions of Kok Ksor and the April protesters were terrorist in nature -- throwing rocks, using knives and sticks to attack and injure officials, even killing people. He noted that Vietnamese law prohibited all such violent action by non-peaceful separatist organizations or reactionary organizations against public order. Ambassador again called for a clearer differentiation of what is and is not terrorism. He commented that, even if there was outside encouragement, without discontent on the ground already it could not have succeeded.

11. (SBU) Ambassador cited an "unfortunate" recent article in Quan Doi Nhan Dan (Army Daily) implying that the USG was behind the events in the Central Highlands as a "step backwards" and as simply not true. DPM claimed that reporters draw their own conclusions and write what they want. He emphasized that the GVN had not accused the USG of being behind the demonstrations -- but many Vietnamese believe so since the USG had not reacted against the

Montagnard Foundation and FULRO in the U.S. When Ambassador charged that QDND clearly reflected official GVN views, DPM Dung only commented "not exactly." Ambassador reminded the DPM that two individuals were already in U.S. prisons in California for attempts acts of violence against GVN officials.

12. (SBU) The DPM acknowledged that the USG does not support separatism or terrorism, and promised that the GVN would "continue" to provide evidence of such acts. However, in the interest of seeking a better relationship, the USG should not be "tolerant" of such activities, he stressed.

Iraq  
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13. (SBU) DPM Dung noted that all countries have human rights problems, and cited the "illegal invasion" by the U.S. of Iraq in a "war of aggression," as well as the treatment of Iraqi prisoners by US troops, as examples. He called upon the U.S. to "look at yourself first when you talk about human rights." Ambassador acknowledged violations by US soldiers but stressed that this problem was revealed by our free press, discussed in Congress, and subject to open and free debate. He cited this as an example of how human rights problems should be dealt with. The USG would solve this problem and punish violators.

14. (SBU) The DPM raised whether the "invasion of Iraq" was itself not "terrorism," or when the U.S. sent troops to Vietnam to fight against "Communist terrorism." He stressed that the UN had "never allowed" the U.S. to "invade Iraq" and repeated that this "act of aggression" was a "violation of the UN Charter." Ambassador reminded him of Iraq under Saddam Hussein having violating UN Security Council resolutions for more than a decade, but welcomed a dialogue with the GVN on Iraq, a subject that most GVN officials had avoided up until now.

Toward a better future  
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15. (SBU) In conclusion, DPM Dung urged both sides to push the relationship toward even closer ties and cooperation in an "open" manner despite differences of views on human rights, religious freedom, the Central Highlands, and democracy. He called for better mutual understanding and greater sharing of views. Ambassador welcomed DPM Dung's frankness. DPM noted that both sides share a goal of better relations, and expressed a hope that we will move forward toward this goal.  
BURGHARDT